

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

APP INVESTMENT OPPORTUNITY LLC,

Plaintiff,

-against-

U.S. BANK NATIONAL ASSOCIATION,

Defendant.

Case No. 1:15-cv-06666-AT

**NOTICE OF MOTION FOR SUMMARY JUDGMENT
BY PLAINTIFF APP INVESTMENT OPPORTUNITY LLC**

PLEASE TAKE NOTICE that, pursuant to Rule 56 of the Federal Rules of Civil Procedure, and upon the accompanying Statement of Undisputed Material Facts, pursuant to Local Civil Rule 56.1, the Declaration of Dennis H. Hranitzky, the Declaration of Xiao Song, and all attached exhibits, Plaintiff APP Investment Opportunity LLC moves before the Honorable Judge Analisa N. Torres of the Southern District of New York for an Order granting summary judgment to the Plaintiff and awarding the declaratory and injunctive relief requested.

Dated: December 23, 2015
New York, New York

DECHERT LLP

By: /s/ Dennis H. Hranitzky

Dennis H. Hranitzky
1095 Avenue of the Americas
New York, NY 10036-6797
(212) 698-3500
(212) 698-3599 (facsimile)
dennis.hranitzky@dechert.com

Attorney for Plaintiff